IN THE COURT OF APPEALS OF THE STATE OF ALASKA

LAURA K. GIPSON, Appellant, v. STATE OF ALASKA, Appellee.	Court of Appeals No. A-11665 Trial Court No. 2NO-13-082 CR MEMORANDUM OPINION No. 6301 — March 9, 2016

Appeal from the District Court, Second Judicial District, Nome, Timothy Dooley, Judge.

Appearances: Josie Garton, Assistant Public Defender, and Quinlan Steiner, Public Defender, Anchorage, for the Appellant. Saritha R. Anjilvel, Assistant Attorney General, Office of Special Prosecutions, Anchorage, and Craig W. Richards, Attorney General, Juneau, for the Appellee.

Before: Mannheimer, Chief Judge, and Allard and Kossler, Judges.

Judge MANNHEIMER.

Laura K. Gipson was convicted of one count of importing alcohol into a local option area (attempting to send alcoholic beverages to the dry village of Savoonga),

and one count of contributing to the delinquency of a child (because the alcoholic beverages were concealed in her 12-year-old daughter's luggage). [1]

On appeal, she claims that the evidence presented at her trial was legally insufficient to support these convictions. More specifically, Gipson argues that the evidence was insufficient to prove that she was responsible for the alcoholic beverages concealed in her daughter's luggage. (Gipson's defense at trial was that her 12-year-old daughter acted on her own.)

When a defendant claims that the evidence presented at their trial was legally insufficient to support their conviction, an appellate court must view the evidence, and the reasonable inferences to be drawn from it, in the light most favorable to upholding the jury's verdict, and then ask whether that evidence was sufficient to support the conclusion by fair-minded jurors that the State had proved its case beyond a reasonable doubt. [2]

Viewing the evidence at Gipson's trial in this light, we conclude that the evidence was sufficient to allow reasonable jurors to find (beyond a reasonable doubt) that Gipson concealed alcoholic beverages in her 12-year-old daughter's luggage, intending to send these beverages to Savoonga. We therefore affirm Gipson's convictions.

Here is the evidence at Gipson's trial, presented in the light most favorable to the jury's verdicts:

Alaska State Trooper Anne Sears went to the Nome airport in response to a report of alcoholic beverages discovered in luggage. When Sears arrived at the airport,

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[1] AS 04.11.499 and AS 11.51.130(a), respectively.

[2] *See*, *e.g.*, *Dorman v. State*, 622 P.2d 448, 453 (Alaska 1981); *Eide v. State*, 168 P.3d 499, 500-01 (Alaska App. 2007).

she went to the luggage area, where she observed a pink backpack and a black suitcase that had been set aside. The pink backpack was slightly open and, inside it, Sears could see what looked like a bottle of an alcoholic beverage.

The backpack and the suitcase were already checked in, and this luggage had been tagged for delivery to Savoonga, a dry community. Both pieces of luggage had tags with the name "Kordova Gipson" — a passenger who had already checked in for the flight to Savoonga.

When Trooper Sears contacted Kordova Gipson in the airport lobby, she discovered that Kordova was only 12 years old. Kordova was accompanied by her mother, Laura Gipson, so Sears interviewed both Kordova and Gipson. This interview was recorded, and all but a small portion of the first half of the interview was played at Gipson's trial.

During this interview, Gipson told Trooper Sears that Kordova was traveling to Savoonga on her own. Gipson initially denied knowing that there was alcohol in Kordova's luggage. She denied packing Kordova's luggage, and she asserted that she had no knowledge as to what might be in that luggage. (Gipson also initially denied knowing that Savoonga was a dry community.)

However, Gipson's assertion that she had no knowledge of the contents of Kordova's luggage was belied by an incident that occurred during the interview, when Kordova unexpectedly asked Gipson if she had told Trooper Sears about the cigarettes that were also in Kordova's luggage. Gipson immediately told Sears that there were "two packs of ... Marlboro Menthols" in Kordova's bags, and that these cigarettes were "for Eva" — the person with whom Kordova would be staying in Savoonga.

Gipson eventually told Sears that there were five bottles of Monarch vodka in Kordova's luggage, and that these alcoholic beverages were in the luggage because

"they asked for me to put them in the bags." When Sears asked Gipson to explain who "they" were, Gipson refused.

Sears searched the two bags. She discovered three bottles of Monarch vodka in the backpack, and another two bottles of Monarch vodka in the suitcase. All five were 750-milliliter plastic bottles. Each bottle had been opened to squeeze the air out, and then the tops had been put back in place. (This is apparently a technique that bootleggers employ to prevent the contents from audibly sloshing around inside the bottles when the box or piece of luggage is moved.)

Investigation revealed that Gipson had purchased all five bottles of vodka a few days earlier. Sears testified that a person could make more than $2000 by selling five 750-milliliter bottles of spirits in Savoonga.

Viewing this evidence in the light most favorable to the jury's verdicts, it was sufficient to support a conclusion by fair-minded jurors that the State had proved its case against Gipson beyond a reasonable doubt.

Conclusion

The judgement of the district court is AFFIRMED.